

III. REMARKS

By this amendment, claims 12 and 15 have been amended, and claims 1-11, 15 and 21-31 have been canceled. As a result, claims 12-14 and 16-20 remain pending in this application. Applicant is not conceding in this application that those claims are not patentable over the art cited by the Office, as the present claim amendments and cancellations are only for facilitating expeditious prosecution of the allowable subject matter noted by the Office. Applicant does not acquiesce in the correctness of the rejections and reserves the right to present specific arguments regarding any rejected claims not specifically addressed. Further, Applicant reserves the right to pursue the full scope of the subject matter of the original claims in a subsequent patent application that claims priority to the instant application. Reconsideration in view of the following remarks is respectfully requested.

In the Office Action, claims 21-31 are rejected under 35 U.S.C. §101 as allegedly being directed to non-statutory subject matter. Applicants have canceled these claims. Claims 1-31 are provisionally rejected on the ground of nonstatutory double patenting over claims 1-40 of copending Application No. 10/805,963 in view of Application 10/78752. Applicants are filing a terminal disclaimer herewith. Claims 1-4, 6-14, 17-23 and 25-31 are rejected under 35 U.S.C. §103(a) as allegedly being anticipated by Mitchell *et al.* (U.S. Patent No. 6,453,416 B1), hereafter “Mitchell,” in view of Campbell *et al.* (U.S. Patent Pub. No. 2005/0188315 A1), hereafter “Campbell.” Claims 4, 15, 16 and 24 have been indicated as containing allowable subject matter. Applicant gratefully appreciates the indication of allowable subject matter and have amended claim 12 to include the subject matter of claim 15.

IV. CONCLUSION

In addition to the above arguments, Applicant submits that each of the pending claims is patentable for one or more additional unique features. To this extent, Applicant does not acquiesce to the Office's interpretation of the claimed subject matter or the references used in rejecting the claimed subject matter. Additionally, Applicant does not acquiesce to the Office's combinations and modifications of the various references or the motives cited for such combinations and modifications. These features and the appropriateness of the Office's combinations and modifications have not been separately addressed herein for brevity. However, Applicant reserves the right to present such arguments in a later response should one be necessary.

In light of the above, Applicant respectfully submits that all claims are in condition for allowance. Should the Examiner require anything further to place the application in better condition for allowance, the Examiner is invited to contact Applicant's undersigned representative at the number listed below.

Respectfully submitted,

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Date: June 9, 2008

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